

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

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Federal Communications Commission
 Office of Secretary

In the Matter of)
)
 Amendment of Section 73.202(b))
 Table of Allotments) MB Docket No. 05-243
 FM Broadcast Stations)
 (Meeteetse, Wyoming))

To: Office of the Secretary
 Attn: Assistant Chief, Audio Division
 Media Bureau

MINOR AMENDMENT TO COUNTERPROPOSAL

Millcreek Broadcasting, LLC ("Millcreek"); Simmons SLC-LS, LLC; 3 Point Media - Coalville, LLC; 3 Point Media - Delta, LLC; and College Creek Broadcasting LLC (together, the "Joint Parties"), hereby amend their Counterproposal in the above captioned proceeding. On September 19, 2005, the Joint Parties submitted a Counterproposal where they proposed to, *inter alia*, delete Channel 261C2 at Soda Springs, Idaho, allot Channel 260C3 to Wilson, Wyoming, and modify the facilities of Station KITT(FM) accordingly. Due to transmitter site issues discussed herein, the Joint Parties now wish to modify their proposal to allot Channel 261C3 instead of Channel 260C3 at Wilson at a new allotment site. In support hereof, the Joint Parties state as follows:

1. After unsuccessfully trying to secure a transmitter site in the limited area offered by Channel 260C3, the Joint Parties have determined that Channel 261C3 would offer greater site flexibility. Thus, the Joint Parties wish to allot Channel 261C3 instead of Channel 260C3 at Wilson at a new allotment site. Channel 261C3 can be allotted to Wilson at new reference coordinates consistent with Section 73.207 the Commission's Rules with respect to all existing

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and proposed allotments and facilities. *See* Amended Figure 20.¹ The proposed 70 dBu contour will cover all of Wilson. *See* Amended Figure 21.

2. This amendment is also in the public interest because it eliminates the conflict with the *Notice of Proposed Rule Making*. Specifically, as demonstrated in Amended Figure 20, the allotment of Channel 261C3 (instead of Channel 260C3) at Wilson eliminates the conflict with the *NPRM*'s proposal to allot Channel 259C at Meeteetse, Wyoming.² By eliminating this conflict, the Commission can now provide new first local services at Meeteetse, Wyoming (as proposed in the *NPRM*) and at Wilson, Wyoming and Ballard, Utah (as proposed in the Joint Parties' Counterproposal).³

3. The Commission has previously accepted amendments to proposals "because they will facilitate resolution of [a] case based upon a full and complete factual record without prejudicing any other party." *Murrieta, California, et al.*, 17 FCC Rcd 19458, note 4 (2002). This is the case here because no other party would be prejudiced and the amendment would eliminate the conflict with the *NPRM*'s proposal to allot Channel 259C at Meeteetse, Wyoming, and thus allow both proposals to be granted.⁴

¹ Attached hereto are Amended Figures 20, 21, and 22. These figures should replace Figures 20, 21, and 22 in the Joint Parties' original Counterproposal.

² Because the Joint Parties have eliminated the conflict with the *NPRM*'s proposal to allot Channel 259C at Meeteetse, Wyoming, the Commission no longer needs to consider the alternate channels that the Joint Parties proposed for Meeteetse.

³ The Joint Parties' Counterproposal will also result in a net gain in radio service to 233,238 people.

⁴ Two other groups related to the Joint Parties filed proposals in this proceeding. This amendment does not affect these two filings.

In view of the foregoing, the Joint Parties request that the Commission accept this amendment to their Counterproposal.

Respectfully submitted,

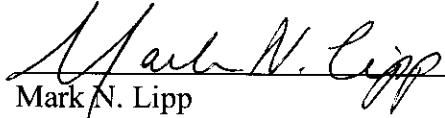
MILLCREEK BROADCASTING, LLC

SIMMONS SLC-LS, LLC

3 POINT MEDIA – COALVILLE, LLC

3 POINT MEDIA – DELTA, LLC

COLLEGE CREEK BROADCASTING, LLC

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Their Counsel

February 10, 2006

Engineering Statement
In Support of an
Amendment to a Counterproposal
The Joint Parties
MB Docket 05-243, RM-FCC

Allocation Study – Ch. 261C3 at Wilson, WY (KITT)
Substituting Channel 261C3 for 260C3 at Wilson
(Using New Allotment Site)

| | | | |
|-------------------------------------|---------|------------|-----------------|
| REFERENCE | | CLASS = C3 | DISPLAY DATES |
| 43 27 40 N | | | DATA 12-21-05 |
| 110 45 09 W | Current | Spacings | SEARCH 12-29-05 |
| ----- Channel 261 - 100.1 MHz ----- | | | |

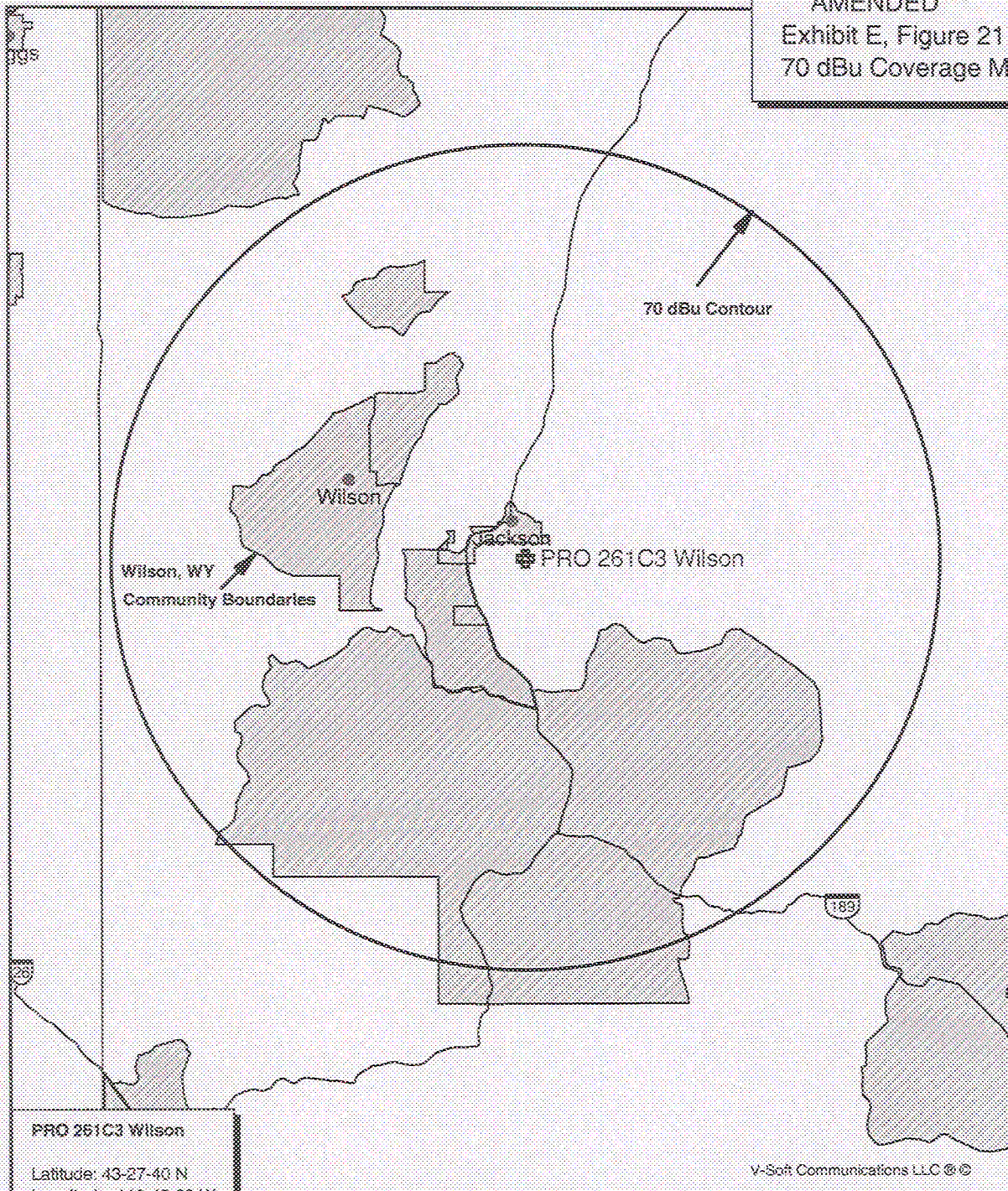
| Call | Channel | Location | Dist | Azi | FCC | Margin |
|--|-------------|--------------|-----------|-------|-------|--------|
| RADD | ADD 260C3 | Wilson | WY 13.53 | 319.9 | 99.0 | -85.47 |
| Of Note: Originally proposed channel and site for KITT on 260C3 at Wilson. | | | | | | |
| RADD | ADD 260C3 | Wilson | WY 13.53 | 319.9 | 99.0 | -85.47 |
| Of Note: Sand Hill Media proposed this channel and site for KITT on 260C3 at Wilson in a separate counter proposal in the instant Docket. | | | | | | |
| KITT.C | CP -Z 261C2 | Soda Springs | ID 107.81 | 215.0 | 177.0 | -69.19 |
| Of Note: CP Coordinates used by KITT. Deletion requested in the instant counter proposal. | | | | | | |
| RDEL | DEL 261C2 | Soda Springs | ID 107.81 | 215.0 | 177.0 | -69.19 |
| Of Note: CP One Step Allotment Coordinates used by KITT. Deletion requested in the instant counter proposal. | | | | | | |
| KITT.A | APP 261 | Soda Springs | ID 119.48 | 219.6 | 177.0 | -57.52 |
| Of Note: Engineering STA application site used by KITT. Deletion requested in the instant counter proposal. | | | | | | |
| KITT | LIC 261A | Soda Springs | ID 114.80 | 217.7 | 142.0 | -27.20 |
| Of Note: Licensed Class A site used by KITT. Deletion requested in the instant counter proposal. | | | | | | |
| RADD | ADD 263C1 | Idaho Falls | ID 94.64 | 259.9 | 76.0 | 18.64 |
| ALLO | USE 263C1 | Rexburg | ID 100.28 | 287.2 | 76.0 | 24.28 |
| KBYI | LIC 263C1 | Rexburg | ID 102.93 | 289.4 | 76.0 | 26.93 |
| RDEL | DEL 263C1 | Rexburg | ID 102.93 | 289.4 | 76.0 | 26.93 |

******AMENDED******

Exhibit E, Figure 20
Allocation Study

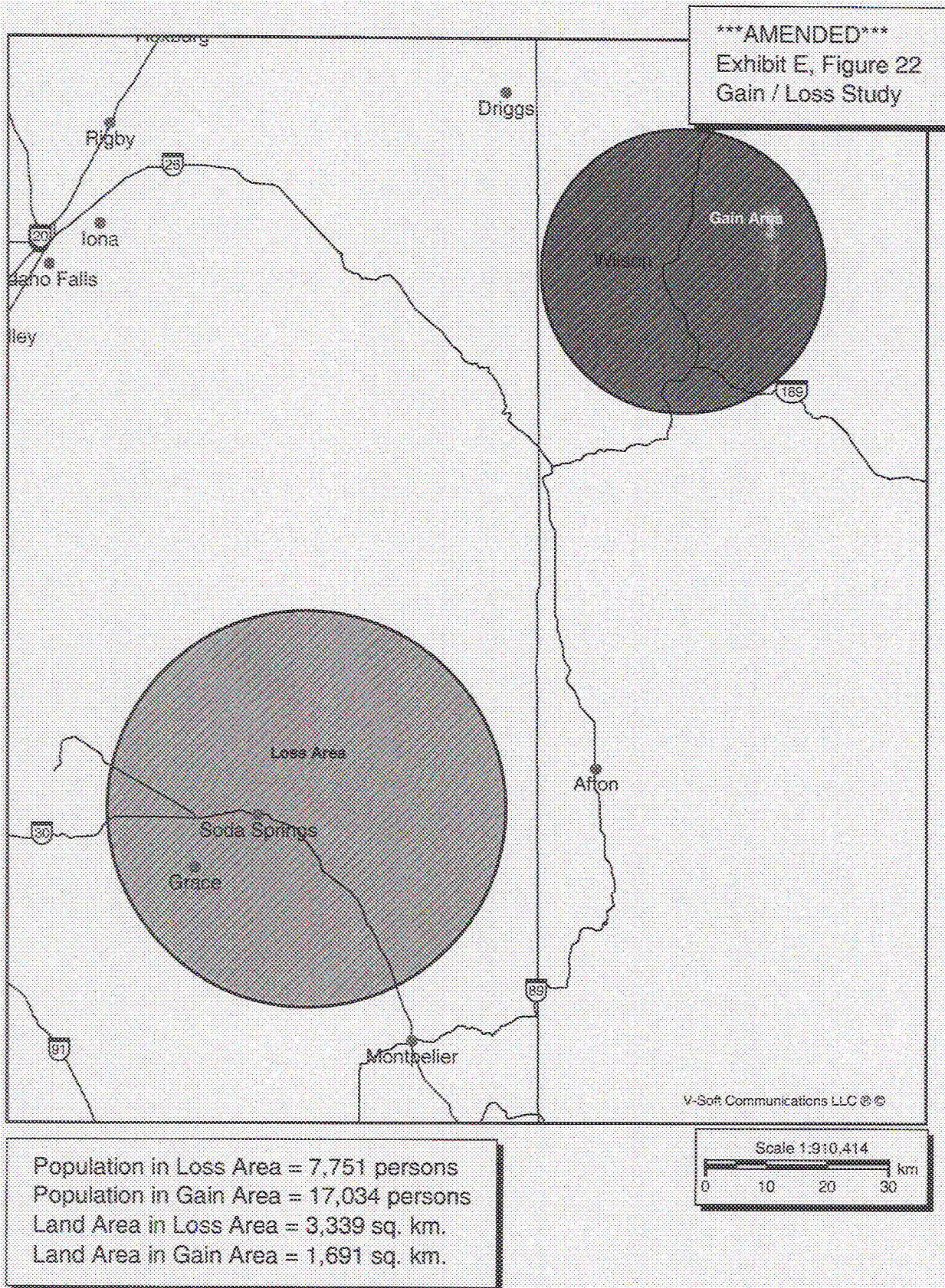
AMENDED

Exhibit E, Figure 21
70 dBu Coverage Map



PRO 261C3 Wilson

Latitude: 43-27-40 N
Longitude: 110-45-09 W
ERP: 25.00 kW
HAAT: 100 m
Channel: 261 C3
Frequency: 100.1 MHz



CERTIFICATE OF SERVICE

I, Scott Woodworth, in the law firm of Vinson & Elkins, do hereby certify that I have on this 10th day of February, 2006, caused to be mailed by first class mail, postage prepaid, copies of the foregoing "**Amendment**" to the following:

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Logan, UT 84321

Sun Valley Radio, Inc.
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Logan, UT 84323-0570


Eagle Rock Broadcasting Co., Inc.
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Jerome, ID 83338-6484

Tri-State Media Corporation
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Skywest Media LLC
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Scott Woodworth

* HAND DELIVERED